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ORTHO-MCNEIL PHARMACEUTICAL, INC.  
and MCKESSON CORPORATION

E-filing

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**TERRI RANDALL, an individual;**

**Plaintiff,**

v.

ORTHO-MCNEIL PHARMACEUTICAL,  
INC., a Delaware Corporation;  
MCKESSON CORP. and DOES 1-500,  
inclusive.

## Defendants.

Case No.

Case No.

3424

**NOTICE OF PENDENCY OF OTHER  
ACTION OR PROCEEDING  
[CIV. L.R. 3-13]**

Pursuant to Civil L.R. 3-13, defendants Ortho-McNeil Pharmaceutical, Inc. ("OMP") and McKesson Corporation ("McKesson") (collectively "Defendants") submit the following Notice of Pendency of Other Action or Proceeding:

On March 1, 2006, the Judicial Panel on Multidistrict Litigation (“JPML”) created MDL 1742, *In re Ortho Evra Products Liability Litigation*, ruling that all federal actions involving allegations of injury or death from use of the prescription drug Ortho Evra® be centralized for pre-trial purposes in the United States District Court for the Northern District of Ohio, before the Honorable David A. Katz, Case Number 1:06-CV-40000-DAK. To date, over 500 cases have been transferred to MDL 1742, and transfers of additional “tag-along” actions are pending. Defendants have requested that this action be deemed a “tag-along” and transferred to MDL No. 1742. Pursuant to Civil L.R. 3-13,

1 defendants therefore respectfully request that this Court stay this action, pending transfer  
 2 to the MDL, to achieve the judicial economies that underlie 28 U.S.C. Section 1407  
 3 (Multi-District Litigation Procedures) and to avoid conflicts, conserve resources, and  
 4 promote an efficient determination of the action.

5 Please take notice that, in addition to MDL No. 1742, the following state court  
 6 actions also allege product liability claims against defendant Ortho-McNeil  
 7 Pharmaceutical, Inc. and/or other Johnson & Johnson companies related to use of the  
 8 prescription drug Ortho Evra®:

9       1. *In re Ortho Evra Birth Control Patch Litigation*, Superior Court of New  
 10 Jersey, Middlesex County, Case No. 275. To date, over 350 cases have been filed in the  
 11 Superior Court of New Jersey;

12       2. *Ablin, Liz, et al. v. Ortho-McNeil Pharmaceutical, Inc.; Johnson &  
 13 Johnson; Johnson & Johnson Pharmaceutical Research and Development, L.L.C.; Alza  
 14 Corporation; and Does I through 10, Inclusive*, Superior Court of California, County of  
 15 Los Angeles, Case No. BC-06-365729;

16       3. *Argenbright, Jenifer v. Ortho-McNeil Pharmaceutical Inc.; McKesson  
 17 Corp and Does 1-500, inclusive*, Superior Court of the State of California, County of San  
 18 Francisco, Case No. CGC-07-463331;

19       4. *Barnes, Sara, et al. v. Johnson & Johnson; Ortho-McNeil Pharmaceutical,  
 20 Inc; Johnson & Johnson Pharmaceutical Research and Development, L.L.C.; Alza  
 21 Corporation, a Delaware Corporation; McKesson Corp.; and Does 1-500, Inclusive*,  
 22 Superior Court of California, County of Los Angeles, Case No. 07-BC366176;

23       5. *Bouchard, Brianna R., et al. v. Johnson & Johnson; Johnson & Johnson  
 24 Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil  
 25 Pharmaceutical, Inc.; and Does 1-50, Inclusive*, Superior Court of California, County of  
 26 Los Angeles, Case No. BC-06-357282;

27       6. *Bryant, Cynthia v. Johnson & Johnson, Ortho-McNeil Pharmaceutical,  
 28 Inc.; Johnson & Johnson Pharmaceutical Research and Development, L.L.C.; Lisa P.*

1       Otey, M.D.; Kelsey-Seybold Medical Group, P.A.; Kelsey-Seybold Clinic Woman's  
 2       Center; and St. Luke's Episcopal Health System Corporation, Circuit District Court of  
 3       Harris County, Texas, Case No. 2007-16676;

4              7. *Christopher, Audrey, et al. v. Little Company of Mary Health Services;*  
 5       *Providence Health System-Southern California; David F. Morgan, M.D.; Gerald I.*  
 6       *Wasserwald, M.D.; Robert D. Swift, M.D.; Bernard L. Ullman, M.D.; Robert Bates, D.C.;*  
 7       *Ortho-McNeil Pharmaceutical, Inc.; Johnson & Johnson; Johnson & Johnson*  
 8       *Pharmaceutical Research and Development, L.L.C. fka R.W. Johnson Pharmaceutical*  
 9       *Research Institute; and Does 1 to 100, Inclusive, Superior Court of California, County of*  
 10      *Los Angeles, Case No. YC-06-053282;*

11              8. *Christopher-Justice, Kai, et al. v. Ortho-McNeil Pharmaceutical, Inc.;*  
 12       *Johnson & Johnson; Johnson & Johnson Pharmaceutical Research and Development,*  
 13       *L.L.C.; Alza Corporation; and Does 1-10, Inclusive, Superior Court of California, County*  
 14      *of Los Angeles, Case No. BC-07-366885;*

15              9. *Czubernat, Ashley v. Alza, a Delaware corporation; Johnson & Johnson*  
 16       *Pharmaceutical Research & Development L.L.C., a New Jersey corporation; Johnson &*  
 17       *Johnson, a New Jersey corporation; Ortho-McNeil Pharmaceutical, Inc., a New Jersey*  
 18       *corporation; and Does 1-25, inclusive, Superior Court of California, County of San*  
 19      *Diego, Case Number GIC-872176-06;*

20              10. *Faulkner, Raquel v. Ortho-McNeil Pharmaceutical, Inc.; Johnson &*  
 21       *Johnson; Johnson & Johnson Pharmaceutical Research and Development, L.L.C. f/k/a*  
 22       *R.W. Johnson Institute; Stanley L. Smith, Jr., M.D.; Stanley L. Smith, Jr., M.D. P.C.;*  
 23       *Methodist Healthcare; Methodist Healthcare Memphis Hospitals, d/b/a, Methodist*  
 24       *Germantown; Norberto R. Rojas, M.D.; and Medical Anesthesia Group, A Professional*  
 25      *Association, Circuit Court of Shelby County, Tennessee, Case No. CI-005867-06;*

26              11. *Galvan, Tina Marie, et al. v. Johnson & Johnson; Johnson & Johnson*  
 27       *Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil*  
 28       *Pharmaceutical, Inc.; and Does 1-50, Inclusive, Superior Court of California, County of*

1 Los Angeles, Case No. BC-07-367849;

2       12. *Gonzalez, Cariba, et al. v. Johnson & Johnson; Johnson & Johnson*  
 3 *Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil*  
 4 *Pharmaceutical, Inc.; and Does 1-50, Inclusive, Superior Court of California, County of*  
 5 *Los Angeles, Case No. BC-06-363800;*

6       13. *Greene, Stephanie v. Planned Parenthood Federation America, Inc.;*  
 7 *Planned Parenthood of Wisconsin, Inc.; Johnson & Johnson; Ortho-McNeil*  
 8 *Pharmaceutical, Inc.; Johnson & Johnson Pharmaceutical Research and Development,*  
 9 *L.L.C. f/k/a R.W. Johnson Pharmaceutical Research Institute; and Organon USA, Inc.,*  
 10 *Circuit Court of Milwaukee County, State of Wisconsin, Cause No. 06-9081;*

11       14. *Hale, Ronald and Hale, Johnna, Individually and as Next of Friend and*  
 12 *Special Administrators of the Estate of Jalisa K. Hale, deceased v. Ortho-McNeil*  
 13 *Pharmaceutical, Inc.; Johnson & Johnson; Johnson & Johnson Pharmaceutical Research*  
 14 *& Development, L.L.C. f/k/a R.W. Johnson Pharmaceutical Research Institute; Dr. Elisa*  
 15 *Crouse, O.B.G.Y.N., Doctor Does 1-5; Corporate Does 1-5; and John and/or Jane Does*  
 16 *1-5, District Court of Oklahoma County, State of Oklahoma, Case No. 06-7403;*

17       15. *Hernandez, Ruth, et al. v. Johnson & Johnson; Johnson & Johnson*  
 18 *Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil*  
 19 *Pharmaceutical, Inc.; and Does 1-50, Inclusive, Superior Court of California, County of*  
 20 *Los Angeles, Case No. BC-07-357282;*

21       16. *Hunt, Tracy v. Ortho-McNeil Pharmaceutical, Inc.; Johnson & Johnson;*  
 22 *and Johnson & Johnson Pharmaceutical Research and Development, L.L.C., f/k/a R.W.*  
 23 *Johnson Pharmaceutical Research Institute, Third Judicial Circuit, Madison County,*  
 24 *Illinois, Cause No. 0193-06;*

25       17. *Kennedy, Bridget, as Administratrix of the Estate of Zakiya Kennedy v.*  
 26 *Johnson & Johnson; Johnson & Johnson Pharmaceutical Research & Development,*  
 27 *L.L.C. f/k/a R.W. Johnson Pharmaceutical Research Institute; and Ortho-McNeil*  
 28 *Pharmaceutical, Inc., New York Supreme Court, County of New York, Case No.*

1 106921-05;

2       18. *Lewis, Bintha as Representative of the Estate of Ashley Lewis v. Johnson &*  
 3 *Johnson; Johnson & Johnson Pharmaceutical Research & Development, L.L.C. f/k/a*  
 4 *R.W. Johnson Pharmaceutical Research Institute; and Ortho-McNeil Pharmaceutical,*  
 5 *Inc.*, Circuit Court of the City of St. Louis, State of Missouri, Case No. 052-11741;

6       19. *Malcolm, Wanna, et al. v. Johnson & Johnson; Johnson & Johnson*  
 7 *Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil*  
 8 *Pharmaceutical, Inc.; and Does 1-50, Inclusive*, Superior Court of California, County of  
 9 Los Angeles, Case No. BC-06-361709;

10       20. *Maldonado, Nina v. Johnson & Johnson; Johnson & Johnson*  
 11 *Pharmaceutical Research & Development, L.L.C.; Alza, Inc.; and Ortho-McNeil*  
 12 *Pharmaceutical, Inc.*, State Court of Minnesota, County of Dakota;

13       21. *McNichols, Jennifer v. Johnson & Johnson; Johnson & Johnson*  
 14 *Pharmaceutical Research and Development, L.L.C.; Ortho-McNeil Pharmaceutical, Inc.;*  
 15 *and Walgreen's Co.*, Third Judicial Circuit, Madison County, IL, Case No. 06-L-69;

16       22. *Moore, Brooke and Scotti, John, her husband v. Johnson & Johnson, Inc.*  
 17 *and Ortho-McNeil Pharmaceutical, Inc., foreign corporations authorized to do business*  
 18 *in the State of New York*, Supreme Court of New York, Suffolk County, Case No. 06-  
 19 35514;

20       23. *Nance, Patrice v. Johnson & Johnson; Johnson & Johnson Pharmaceutical*  
 21 *Research and Development, L.L.C.; and Ortho-McNeil Pharmaceutical, Inc.*, State of  
 22 New Mexico, County of Bernalillo, Second Judicial District, Case No. CV2007-000123;

23       24. *Neal, Miriam v. Ortho-McNeil Pharmaceutical, Inc.; Johnson & Johnson*  
 24 *Corporation; Johnson & Johnson Pharmaceutical Research and Development, L.L.C.;*  
 25 *Fulton-Dekalb Hospital Authority d/b/a Grady Health Systems; The Emory Clinic, Inc.;*  
 26 *Emory University, Inc.; Morehouse Medical Associates, Inc.; Morehouse Medical School*  
 27 *Inc.; Hugh Randall, M.D.; John/Jane Does 1-10; and ABC Corps. 1-5*, Court of Dekalb  
 28 County, Georgia, Civil Action No. 06A-54270-2;

1           25. *Pierson, Jaime, et al. v. Ortho-McNeil Pharmaceutical, Inc.; Johnson &*  
 2 *Johnson; Johnson & Johnson Pharmaceutical Research & Development, L.L.C.; Alza*  
 3 *Corporation; and Does 1 through 10, Inclusive*, Superior Court of the State of California,  
 4 County of Los Angeles, Case No. BC-372341;

5           26. *Prasad, Kristin, et al. v. Johnson & Johnson; Johnson & Johnson*  
 6 *Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil*  
 7 *Pharmaceutical, Inc.; and Does 1-50*, Superior Court of California, County of Santa  
 8 Clara, Case No. 1-07-CV-78895;

9           27. *Ruiz, Aliesha v. Johnson & Johnson; Johnson & Johnson Pharmaceutical*  
 10 *Research & Development, L.L.C.; and Ortho-McNeil Pharmaceutical, Inc.*, State of New  
 11 Mexico, County of Bernalillo, Second Judicial District, Case No. CV2007 004933;

12           28. *Sanchez, Gloria, et al. v. Johnson & Johnson; Johnson & Johnson*  
 13 *Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-McNeil*  
 14 *Pharmaceutical, Inc.; McKesson Corporation; and Does 1-50, Inclusive*, Superior Court  
 15 of California, County of San Francisco, Case No. CGC-06-458689;

16           29. *Soleymani, Renee, et al. v. Johnson & Johnson; Johnson & Johnson;*  
 17 *Johnson & Johnson Pharmaceutical Research & Development, L.L.C.; Alza Corporation;*  
 18 *and Does 1 through 10, Inclusive*, Superior Court of the State of California, Los Angeles  
 19 County, Case No. BC-372034;

20           30. *Taylor-Rodriguez, Jean M. v. Ortho-McNeil Pharmaceutical, Inc.; Johnson*  
 21 *& Johnson; Johnson & Johnson Pharmaceutical Research & Development, L.L.C.; Alza*  
 22 *Corporation; and Does 1 through 10, Inclusive*, Superior Court of California, County of  
 23 Stanislaus, Case No. 613038;

24           31. *Theis, Jill, et al. v. Ortho-McNeil Pharmaceutical, Inc.; Johnson &*  
 25 *Johnson; Johnson & Johnson Pharmaceutical Research and Development, L.L.C. f/k/a*  
 26 *R.W. Johnson Pharmaceutical Research Institute; and Walgreen Co.*, Third Judicial  
 27 Circuit, Madison County, Illinois, Cause No. 2006-L-784;

28           32. *Tinker, Cyrille v. Johnson & Johnson, Johnson & Johnson; Johnson &*

1       *Johnson Pharmaceutical Research & Development, L.L.C.; Alza Corporation; Ortho-*  
 2       *McNeil Pharmaceutical, Inc.; and Does 1 through 100*, Supreme Court of the State of  
 3       New York, County of New York, Case No. 07-107410;

4              33. *Trager, Nikole v. Ortho-McNeil Pharmaceutical, Inc.; Johnson & Johnson;*  
 5       *Johnson & Johnson Pharmaceutical Research & Development, L.L.C.; Alza Corporation;*  
 6       *and Does 1 through 10, Inclusive*, Superior Court of California, County of San Diego,  
 7       Case No. GIC-880407; and

8              34. *Watkins, Carrie L. v. Ortho-McNeil Pharmaceutical, Inc.; Johnson &*  
 9       *Johnson; Johnson & Johnson Pharmaceutical Research & Development, L.L.C. f/k/a*  
 10      *R.W. Johnson Pharmaceutical Research Institute; Wisconsin Injured Patients and*  
 11      *Families Compensation Fund; Dr. Robert E. Williams; Midwest Medical Insurance*  
 12      *Company; and United Healthcare Insurance Company*, Wisconsin Superior Court,  
 13      Milwaukee County, Civil Action No. 06-1407.

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15      Dated: June 29, 2007

DRINKER BIDDLE &amp; REATH



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